UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	NO. 4:16CR128
	§	(Judge Crone)
ANTHONY JOHN YANIS	§	

MOTION FOR CONTINUANCE OF PRETRIAL MOTION DATES, CHANGE OF PLEA DEADLINE, AND FINAL PRETRIAL CONFERENCE DATE

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS;

COMES NOW, Defendant ANTHONY JOHN YANIS, by and through his undersigned attorney, and files this, his MOTION FOR CONTINUANCE OF PRETRIAL MOTION DATES, CHANGE OF PLEA DEADLINE, AND FINAL PRETRIAL CONFERENCE DATE, and would show this Honorable Court as follows, to-wit:

I.

PROCEDURAL HISTORY

On the 16th day of September, 2016, the Defendant appeared before United States Magistrate Judge Kimberly Priest Johnson for an Arraignment on a four-count Indictment in which the Defendant is charged with violations of Title 21, U.S.C. §846 (Conspiracy to Possess with the Intent to Manufacture and Distribute Methamphetamine) and Title 18, U.S.C. §922(g) (Felon in Possession of a Firearm). At that time, the Office of the Federal Public Defender for the Eastern District of Texas was appointed to represent the Defendant. The Pretrial Order relating to Pretrial Discovery and Inspection was filed and scheduled a Final Pretrial Conference for January 9, 2017.

GROUNDS FOR MOTION

Defense counsel is currently in the process of reviewing discovery provided in this case. Because of the nature of the offense and the possible punishment, defense counsel must then carefully review the evidence with the Defendant and insure that all questions are answered. In addition, there are issues that defense counsel wishes to discuss with the government and present to the Defendant. Defendant respectfully requests additional time to discuss the case with counsel for the government and insure that all evidence is reviewed in order to make a fully informed decision. This request is made in order to insure that effective assistance of counsel is provided to the Defendant.

Additionally, Defense counsel had shoulder surgery on November 30, 2016. Due to some minor complications related to the surgery, Defense counsel has not been able to return to work on a full time basis and has not been able to meet with the Defendant to discuss issues relating to his case.

Due to the reasons outlined above, Defendant respectfully requests an additional 60 days for the pretrial motion dates, change of plea deadline, and final pretrial conference date.

WHEREFORE PREMISES CONSIDERED, Defendant respectfully requests that the pretrial motion dates, change of plea deadline, and final pretrial conference date in this case be reset from their current setting for an additional 60 days.

Respectfully submitted,

/s/ Frank W. Henderson
FRANK W. HENDERSON
Assistant Federal Defender
Eastern District of Texas
7460 Warren Parkway, Suite 270
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(469) 362-8506
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Attorney for Defendant

CERTIFICATE OF CONFERENCE

Defense counsel contacted Assistant United States Attorney, Tracey Batson, and the Government does not oppose this motion.

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of December, 2016, a true and correct copy of the foregoing Defendant's MOTION FOR CONTINUANCE OF PRETRIAL MOTION DATES, CHANGE OF PLEA DEADLINE, AND FINAL PRETRIAL CONFERENCE DATE was sent by CM/ECF to:

Tracey Batson
Assistant U.S. Attorney
101 E. Park Blvd., Suite 500
Plano, Texas 75074

/s/ Frank W. Henderson
FRANK W. HENDERSON
Attorney for Defendant